### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:

Applicant(s): Westphal et al.

Serial No: 10/619,574

Filing Date: July 14, 2003

Title: METHOD AND SYSTEM FOR QUANTITATIVE IMAGE CORRECTION FOR OPTICAL COHERENCE TOMOGRAPHY

Examiner: Hwa S. Lee

Art Unit: 2877

Docket No. UNICP115USA

### DECLARATION UNDER 37 C.F.R. §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Joseph A. Izatt and Andrew M. Rollins, do hereby declare and say that we, along with Volker Westphal, are joint inventors in the above-identified United States Patent Application Serial No. 10/619,574.

We, Joseph A. Izatt and Andrew M. Rollins, do hereby declare and say that we, along with Volker Westphal, are co-authors of the published paper entitled *Quantitative OCT Image Correction Using Fermat's Principle and Mapping Arrays*, Proceedings of SPIE Vol. 4619, p. 54-58 (June 2002), a copy of which is attached to this Declaration as Exhibit A.

We, Joseph A. Izatt and Andrew M. Rollins, do hereby declare and say that we, along with Volker Westphal, are co-authors of the published paper entitled *Correction of Geometric and Refractive Image Distortions in Optical Coherence Tomography Applying Fermat's Principle*, Optics Express, 10 (9), 397-404 (May 6, 2002), a copy of which is attached to this Declaration as Exhibit B.

We do hereby declare and say that the above-identified published papers describe our own and Volker Westphal's work; and that we, along with Volker

Page 1 of 2

Westphal, invented the subject matter disclosed in the above-identified published papers.

We do hereby declare and say that Sunita Radhakrishnan, who is listed as a co-author on both of the above-identified published papers, merely worked under the direction of one or more of us, Joseph A. Izatt and Andrew M. Rollins, and/or Volker Westphal.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

*Joseph A. Izatt*          3/28/05
Joseph A. Izatt                    (Date)


_____          _____
Andrew. M. Rollins                    (Date)

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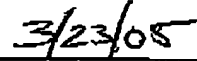
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| Joseph A. Izatt | (Date) |
|---|---|
| Andrew. M. Rollins | 3/23/05 (Date) |

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